

ORIGINAL INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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JEFF HATCH-MILLER
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GARY PIERCE

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION) DOCKET No. E-01933A-07-0401
OF TUCSON ELECTRIC POWER COMPANY)
FOR APPROVAL OF ITS DEMAND-SIDE) APPLICATION OF PHELPS DODGE
MANAGEMENT PROGRAM PORTFOLIO) MINING COMPANY AND
PLAN) ARIZONANS FOR ELECTRIC
CHOICE AND COMPETITION
TO INTERVENE

Pursuant to A.A.C. R14-3-105, Phelps Dodge Mining Company (“Phelps Dodge”) and Arizonans for Electric Choice and Competition (“AECC”) hereby apply to the Arizona Corporation Commission (the “Commission”) for an Order granting Phelps Dodge and AECC leave to intervene in the above captioned Proceeding.

Phelps Dodge maintains facilities and operations within the State of Arizona, which receive electric services from Tucson Electric Power Company (“TEP”). As a very large user of electric services provided by TEP, Phelps Dodge could be directly and substantially affected by the decision of the Commission in this Proceeding. The Commission should, therefore, grant Phelps Dodge leave to intervene in this matter.

Phelps Dodge participation in this Proceeding will not broaden the issues nor unduly delay the Proceeding, except upon leave of the Commission first had and received. For the reasons outlined above, Phelps Dodge respectfully requests that the Commission grant this Application for Leave To Intervene in this matter.

AECC is a coalition of energy consumers, most of whom are customers of Tucson Electric Power Company (“TEP”). The Commission should grant AECC leave to intervene in this matter because members of AECC are customers of TEP and could be directly and substantially affected by the decision of the Commission in this Proceeding.

AECC participation in this Proceeding will not broaden the issues nor unduly delay

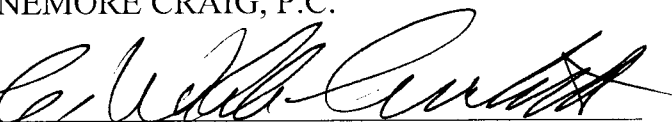
1 the Proceeding, except upon leave of the Commission first had and received. For the
2 reasons outlined above, AECC respectfully requests that the Commission grant this
3 Application for Leave To Intervene in this matter.

4 Phelps Dodge and AECC request that all communications in connection with the
5 above captioned Proceeding be directed to:

6 C. Webb Crockett
7 Patrick J. Black
8 FENNEMORE CRAIG, P.C.
9 3003 North Central Avenue, Ste. 2600
10 Phoenix, Arizona 85012-2913
11 (602) 916-5333
12 Fax: (602) 916-5533
13 wcrocket@fclaw.com
14 pblack@fclaw.com

15 RESPECTFULLY SUBMITTED this 18th day of September 2007.

16 FENNEMORE CRAIG, P.C.

17 By: 

18 C. Webb Crockett

19 Patrick J. Black

20 3003 North Central Avenue, Ste. 2600

21 Phoenix, Arizona 85012-2913

22 Attorneys for Phelps Dodge Mining Company and
23 Arizonans for Electric Choice and Competition

24 **ORIGINAL and 13 COPIES** of the
25 foregoing **FILED** this 18th day of
26 September 2007 with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 85007

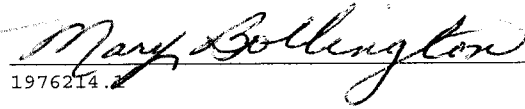
1 **COPY** of the foregoing **MAILED**
2 this 18th day of September 2007 to:

3 Jane L. Rodda
4 Administrative Law Judge
5 ARIZONA CORPORATION COMMISSION
6 400 West Congress, Ste. 218
7 Tucson, Arizona 85701

8 Michael W. Patten
9 ROSHKA DEWULF & PATTEN, PLC
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13 *Attorneys for TEP*

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18 Phoenix, AZ 85007

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20 Utilities Division
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